

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Document #

**26**

U.S.C.A. #

U.S.D.C. #

**07-cv-6092**

JUDGE:

**LAP**

DATE:

**Jan. 28 2008***Arentowicz*

-v-

*Cap Gemini Ernst & Young U.S. LLC*

**INDEX TO THE RECORD ON APPEAL**

PREPARED BY (NAME):

**THOMAS R. PISARCZYK**

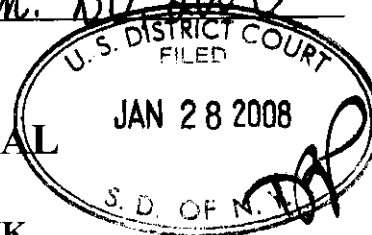
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**U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK**

ADDRESS:

**500 PEARL STREET, ROOM 370****NEW YORK, NEW YORK 10007**

PHONE NO.:

**(212) 805 - 0636**

**DISTRICT COURT DOCKET ENTRIES**

**DOCUMENT DESCRIPTION**

**DOC. #****CLERK'S CERTIFICATE****SEE ATTACHED LIST OF NUMBERED DOCUMENTS****\*\* ONLY CIRCLED DOCUMENTS ARE INCLUDED \*\*****\*\* ALL OTHERS MISSING AT THIS TIME \*\****Balance of file is Electronic*☒ Original Record☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 28th Day of January, 2008.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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*Dventories*  
 -v-  
*Op Bruni Ernst & Young U.S.C.*  
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U.S.C.A. # \_\_\_\_\_  
 U.S.D.C. # *07cv 6092*  
 JUDGE: *LAP*  
 DATE: *Jan. 28, 2008*

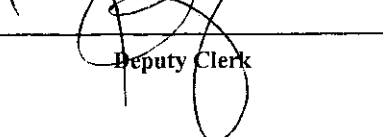
**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered \_\_\_\_\_ Through \_\_\_\_\_, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

<u>Date Filed</u>	<u>Document Description</u>
_____	_____
_____	_____
_____	_____
_____	<b>BALANCE OF FILE MISSING AT THIS TIME</b>
_____	<i>Balance of file is Electronic</i>
_____	_____
_____	_____
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In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this *28th* Day of *January* In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232<sup>ND</sup> Year.

**J. Michael McMahon, Clerk**

By  \_\_\_\_\_  
 Deputy Clerk

APPEAL, CLOSED, ECF

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:07-cv-06092-LAP**  
**Internal Use Only**

Arentowics v. Cap Gemini Ernst & Young U.S., LLC.  
Assigned to: Judge Loretta A. Preska  
Cause: 09:0010 Petition to Vacate Arbitration Award

Date Filed: 06/28/2007  
Date Terminated: 11/19/2007  
Jury Demand: None  
Nature of Suit: 790 Labor: Other  
Jurisdiction: Federal Question

Date Filed	#	Docket Text
06/28/2007	<u>1</u>	PETITION TO VACATE ARBITRATION. (Filing Fee \$ 350.00, Receipt Number 619480). Document filed by Charles Arentowics.(jpo) (Entered: 07/02/2007)
06/28/2007		SUMMONS ISSUED as to Cap Gemini Ernst & Young U.S., LLC.. (jpo) (Entered: 07/02/2007)
06/28/2007		Magistrate Judge Ronald L. Ellis is so designated. (jpo) (Entered: 07/02/2007)
06/28/2007		Case Designated ECF. (jpo) (Entered: 07/02/2007)
06/28/2007	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Charles Arentowics.(jpo) Additional attachment(s) added on 7/19/2007 (tro) (Entered: 07/02/2007)
07/06/2007	<u>3</u>	WAIVER OF SERVICE RETURNED EXECUTED. Cap Gemini Ernst & Young U.S., LLC. waiver sent on 7/5/2007, answer due 9/3/2007. Document filed by Charles Arentowics. (Bramley, Douglas) (Entered: 07/06/2007)
07/06/2007	<u>4</u>	ENDORSED LETTER addressed to Judge Loretta A. Preska from Douglas S. Bramley dated 7/2/07 re: answering the 6/28/07 letter from Gerald D. Silver asking for a transfer of this action to Judge Batts and for a request that this matter remain with Judge Preska and that it be scheduled for a pre-motion conference to discuss Mr. Arentowicz's motion to vacate the arbitration award. ENDORSEMENT: The actions are not related so that any judicial efficiency will be realized by transfer. Accordingly, transfer is denied. SO ORDERED. (Signed by Judge Loretta A. Preska on 7/5/07) (kco) (Entered: 07/09/2007)
07/18/2007		***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney Douglas Schuyler Bramley for noncompliance with Section (3) of the S.D.N.Y. 3rd Amended Instructions For Filing An Electronic Case or Appeal and Section 1(d) of the S.D.N.Y. Procedures For Electronic Case Filing. E-MAIL the PDF for Document <u>2</u> Rule 7.1 Corporate Disclosure Statement to: case_openings@nysd.uscourts.gov. (lb) (Entered: 07/18/2007)
07/19/2007	<u>5</u>	NOTICE OF APPEARANCE by Gerald D. Silver on behalf of Cap Gemini Ernst & Young U.S., LLC. (Silver, Gerald) (Entered: 07/19/2007)
08/16/2007	<u>6</u>	ENDORSED LETTER addressed to Judge Loretta A. Preska from Douglas S. Bramley dated 8/14/07 re: Counsel writes to request that (1) the Court accept for filing an overlength brief of forty (40) double spaced pages and (2) permission to serve and file the attachments and exhibits to this motion to vacate in hard copy form. ENDORSEMENT: (1) and (2) above are approved. So Ordered. (Signed by Judge Loretta A. Preska on 8/15/07) (jco) (Entered: 08/17/2007)
08/16/2007		***DELETED DOCUMENT. Deleted document number <u>15</u> Certification of Bruce P. McMoran. The document was incorrectly filed in this case. (djc) (Entered: 09/12/2007)
08/16/2007	<u>15</u>	Charles Arentowicz Exhibits R1-R65 and Capgemini's Exhibit List. Document filed by Charles Arentowics. (permission granted to serve and file the attachments and exhibits to motion to vacate in hard copy form, purs to Order of 8/16/07, document #6). (djc) (Entered: 09/12/2007)
09/04/2007	<u>7</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Cap Gemini S.A. as Corporate Parent. Document filed by Cap Gemini Ernst & Young U.S., LLC..(Silver, Gerald) (Entered: 09/04/2007)
09/04/2007	<u>8</u>	RESPONSE re: <u>1</u> Petition to Compel/Confirm/Modify/Stay/Vacate Arbitration , with Counterclaim to confirm the Final Award. Document filed by Cap Gemini Ernst & Young U.S., LLC.. (Silver, Gerald) (Entered: 09/04/2007)
09/05/2007	<u>9</u>	ANSWER to Complaint. Document filed by Charles Arentowics.(Bramley, Douglas) (Entered: 09/05/2007)
09/10/2007	<u>10</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION to Vacate Arbitration Award. Document filed by Charles Arentowics. (Attachments: # <u>1</u> Affidavit Certification of Bruce P. McMoran, Esq.; Notice of Permission to File Exhibits and Attachments in Hard Copy Form; and proposed form of Order# <u>2</u> Memoranda of Law in Support of Motion to Vacate Arbitration Award# <u>3</u> Remainder of Unpublished Decisions)(Bramley, Douglas) Modified on 9/11/2007 (KA). (Entered: 09/10/2007)
09/11/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Douglas Schuyler Bramley to RE-FILE Document <u>10</u> MOTION to Vacate Arbitration Award. ERROR(S): Filing Error of Supporting Documents. Supporting documents must be filed individually. Event codes located under Replies, Opposition and Supporting Documents. Use event code Affidavit in support for Certification and just insert the word Certification in place of Affidavit in docket text. (KA) (Entered: 09/11/2007)
09/11/2007	<u>11</u>	MOTION to Vacate Arbitration award. Document filed by Charles Arentowics.(Bramley, Douglas) (Entered: 09/11/2007)

09/11/2007	<u>12</u>	MEMORANDUM OF LAW in Support re: <u>11</u> MOTION to Vacate Arbitration award.. Document filed by Charles Arentowicz. (Attachments: # <u>1</u> )(Bramley, Douglas) (Entered: 09/11/2007)
09/11/2007	<u>13</u>	AFFIDAVIT of Bruce P. McMoran, Esq. in Support re: <u>11</u> MOTION to Vacate Arbitration award.. Document filed by Charles Arentowicz. (Attachments: # <u>1</u> Supplement Notice of Permission to File Exhibits and Attachments in Hard Copy Form)(Bramley, Douglas) (Entered: 09/11/2007)
09/11/2007	<u>14</u>	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - MOTION to Vacate Arbitration Award (ORDER). Document filed by Charles Arentowicz.(Bramley, Douglas) Modified on 9/11/2007 (KA). (Entered: 09/11/2007)
09/11/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF DOCUMENT ERROR. Note to Attorney Douglas Schuyler Bramley to E-MAIL pdf copy to orders _and_ judgments@nysd.uscourts.gov Document No. <u>14</u> Order. This document is not filed via ECF. (KA) (Entered: 09/11/2007)
09/25/2007	<u>16</u>	CROSS MOTION to Confirm Arbitration Award rendered on or about April 4, 2007 in the proceeding entitled Cap Gemini Ernst & Young U.S. LLC v. Arentowicz, pursuant to Federal Arbitration Act's Section 9. Document filed by Cap Gemini Ernst & Young U.S., LLC..(Silver, Gerald) (Entered: 09/25/2007)
09/25/2007	<u>17</u>	AFFIDAVIT of Gerald D. Silver in Support re: <u>16</u> CROSS MOTION to Confirm Arbitration Award rendered on or about April 4, 2007 in the proceeding entitled Cap Gemini Ernst & Young U.S. LLC v. Arentowicz, pursuant to Federal Arbitration Act's Section 9.. Document filed by Cap Gemini Ernst & Young U.S., LLC.. (Attachments: # <u>1</u> Exhibit A - Final Award# <u>2</u> Exhibit B - Complaint)(Silver, Gerald) (Entered: 09/25/2007)
09/25/2007	<u>18</u>	MEMORANDUM OF LAW in Opposition re: <u>11</u> MOTION to Vacate Arbitration award. and in Support of Capgemini's Cross-Motion to Confirm the Award. Document filed by Cap Gemini Ernst & Young U.S., LLC.. (Silver, Gerald) (Entered: 09/25/2007)
09/28/2007	<u>19</u>	ORDER RE SCHEDULING AND INITIAL PRETRIAL CONFERENCE: Initial Pretrial Conference set for 11/5/2007 at 09:30 AM in Courtroom 12A, 500 Pearl Street, New York, NY 10007 before Judge Loretta A. Preska. (Signed by Judge Loretta A. Preska on 9/28/07) (dmd) (Entered: 09/28/2007)
10/02/2007	<u>20</u>	FIRST REPLY MEMORANDUM OF LAW in Support re: <u>11</u> MOTION to Vacate Arbitration award., <u>16</u> CROSS MOTION to Confirm Arbitration Award rendered on or about April 4, 2007 in the proceeding entitled Cap Gemini Ernst & Young U.S. LLC v. Arentowicz, pursuant to Federal Arbitration Act's Section 9. Memorandum of Law in Further Support of Petitioner's Motion to Vacate the Arbitration Award and in Opposition to CapGemini's Cross-Motion to Confirm the Award. Document filed by Charles Arentowicz. (Bramley, Douglas) (Entered: 10/02/2007)
11/09/2007		Minute Entry for proceedings held before Judge Loretta A. Preska : Initial Pretrial Conference held on 11/9/2007. (pl) (Entered: 11/09/2007)
11/16/2007	<u>21</u>	ORDER denying <u>11</u> Motion to Vacate Arbitration; granting <u>16</u> Motion to Confirm Arbitration. Judgement shall be entered accordingly. The Clerk of the Court shall mark this action closed, and all pending motions denied as moot. (Signed by Judge Loretta A. Preska on 11/16/07) (cd) (Entered: 11/16/2007)
11/16/2007		Transmission to Judgments and Orders Clerk. Transmitted re: <u>21</u> Order on Motion to Vacate Arbitration, Order on Motion to Confirm Arbitration,,, to the Judgments and Orders Clerk. (cd) (Entered: 11/16/2007)
11/19/2007	<u>22</u>	CLERK'S JUDGMENT That for the reasons stated in the Court's Order dated November 16, 2007, petitioners motion to vacate the award is denied and respondents motion to confirm arbitration is granted; accordingly, the case is closed and all pending motions are denied as moot. (Signed by J. Michael McMahon, clerk on 11/19/07) (Attachments: # <u>1</u> notice of right to appeal)(ml) (Entered: 11/19/2007)
01/08/2008	<u>23</u>	MOTION for Extension of Time to File A Notice of Appeal. Document filed by Charles Arentowicz.(pl) Modified on 1/16/2008 (pl). (Entered: 01/16/2008)
01/08/2008	<u>25</u>	NOTICE OF APPEAL from <u>22</u> Clerk's Judgment. Document filed by Charles Arentowicz. Copies mailed to attorney(s) of record: Winston & Strawn LLP. (tp) (Entered: 01/28/2008)
01/08/2008		Appeal Remark as to <u>25</u> Notice of Appeal filed by Charles Arentowicz. \$455.00 APPEAL FEE DUE. (tp) (Entered: 01/28/2008)
01/23/2008	<u>24</u>	ORDER: The Plaintiff's motion to extend time to file an appeal is denied. (Signed by Judge Loretta A. Preska on 1/23/08) (js) (Entered: 01/24/2008)
01/28/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>25</u> Notice of Appeal. (tp) (Entered: 01/28/2008)
01/28/2008		Transmission of Notice of Appeal to the District Judge re: <u>25</u> Notice of Appeal. (tp) (Entered: 01/28/2008)